IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Bail Appl..No. 5141 of 2007()

CMP.7027/2007 of J.M.F.C., KAYAMKULAM
[CRIME NO.131/2007 OF VALLIKUNNAM POLICE STATION]

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PETITIONERS/ACCUSED

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1. ASSIM, S/O.ABDUL ASSEES, AGED 23 YEARS,
   KOOTHADIVILAYIL VEEDU, ENATHUMANNADI P.O.,
   KADAMBANADU VILLAGE.

2. ANIL KUMAR, S/O.GOPALAN, AGED 35 YEARS,
   SANKARA VILASAM, NELLIMUKKAL P.O.,
   MUNAPPALLY MURI, PERINGANADU VILLAGE.

BY ADV. SRI.N.UNNIKRISHNAN

RESPONDENTS: COMPLAINANTS

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1. THE STATE OF KERALA,
   REP: BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
   VALLIKUNNAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5141 of 2007

Dated this the 22nd day of August 2007

O R D E R

Application for regular bail. The petitioners face allegations under Section 379 I.P.C. Theft of a Scorpio van was allegedly committed by them. The alleged incident took place on 12/7/2007. The petitioners were arrested on 17/7/2007. They continue in custody from that date. I have already adverted to facts in detail in the earlier order dated 03/08/2007 in B.A.No.4638/07. This order must be read in continuation of that order. I am not hence adverting to facts again in this order.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 25/08/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007